



**National
League
of
Cities**

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December 16, 1997

EX PARTE PRESENTATION

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

EX PARTE OR LATE FILED

Re: NPRM (WT 96-86)

RECEIVED
DEC 16 1997
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Mr. Caton:

Today representatives of the users of public safety spectrum met with Mr. John Clark of the FCC to discuss WT 96-86. Attachment I is a memorandum covering the issues presented at the meeting. Attachment II is a listing of all persons present at the meeting, along with their group affiliation.

Because the National League of Cities has not yet submitted its written comments, the attached materials present a summary of the discussions and arguments presented. As required by FCC rules, the following is submitted, along with 10 copies.

Please contact me if you have any questions concerning this submission made in compliance with Section 1.1206(b) of the Commission's Rules.

Sincerely,

Frank Shafroth
Director of Policy and Federal Relations

Enclosures

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Attachment I

December 16, 1997

Memorandum

For the record:

On December 16, 1997, the National League of Cities hosted the Public Safety Telecommunications Coordinating Council (PSTCC) at its offices to hear from speakers from the U.S. Senate Commerce Committee, the FCC, the NTIA, the Justice department, and the FBI. This is an ongoing part of a series of meetings by this group of organizations representing state and local public safety organizations. The focus of today's session was on implementation of the spectrum provisions of the Balanced Budget Act and future steps with regard to implementation of the Public Safety Wireless Advisory Commission's report.

The meeting began with a discussion by Mr. Clark of the questions raised in WT 96-86. Questions that were raised include: how the new 24 MHz of spectrum proposed for use by public safety entities will be used, who will be eligible to use it, how it will be divided and how it will be managed.

Mr. Clark noted that the FCC was seeking comment in the NPRM on whether Regional Planning Commissions should be used to allocate the new public safety spectrum, and what role, if any, the Regional Planning Commissions should be allowed to take in the spectrum allocation process.

Mr. Clark echoed the question raised in the NPRM of whether 2.5 MHz is sufficient to meet public safety's interoperability needs. Since a major portion of the NPRM is devoted to a discussion of interoperability, he did devote some time to outlining questions raised in the NPRM on how much of the 24 MHz should be used for interoperability, and who should be able to use interoperability channels. Finally, Mr. Clark discussed the section of the NPRM discussing the definition of public safety services, and raised questions such as what that definition should be and who should be eligible to use the new public safety spectrum.

Don Speights of the National Telecommunications and Information Administration (NTIA) outlined his agency's role in spectrum allocation as related to the public safety community. He discussed the spectrum requirements placed on NTIA by the 1997 Balanced Budget Act, including how the agency must find 20 MHz of federal spectrum for the FCC to auction off to other users.

Mr. Speights outlined some of the issues NTIA is looking at regarding interoperability and the use of interoperability channels, be they on the local or national level. Questions raised included whether there was a need for a national interoperability channel, one general channel available to any public safety agencies, or flexible use for interoperability channels located throughout the available public safety spectrum.

Terry Hayton from the Federal Bureau of Investigations (FBI) informed the group of two organizations that he is personally involved with that are working on public safety spectrum issues: the Federal Law Enforcement Wireless Users Group and the Public Safety Wireless Network. He explained that the latter group, established under Vice President Gore's National Performance Review, is looking at the issue of interoperability. Specifically, the group is looking at questions of national interoperability and studying the technology and funding that would be needed to implement national or local interoperability channels. Mr. Hayton noted that his group supported recommendations for public safety spectrum set forth in the Public Safety Wireless Advisory Group's (PSWAC) 1996 report.

Mr. Hayton informed the group that the Public Safety Wireless Network (PSWN) had commissioned a study to review the way the public safety community funds its operations.

Eric Rosen and Alexa Verveer from the Department of Justice spoke briefly to explain to the group the inter-agency working group recently brought together by Attorney General Janet Reno. The group is comprised of staff from the Departments of Justice, Commerce and Treasury, along with representatives from the Federal Law Enforcement Wireless Advisory Association. The group will bring technical and budget experts together to address future questions regarding public safety spectrum.

Frank Shafroth of the National League of Cities outlined the concerns which draw the group together, including the importance of securing public safety spectrum for local emergency services providers. Mr. Shafroth spoke to the radio spectrum allocations recommended in the 1996 PSWAC report which called for 25 MHz of spectrum to meet immediate needs, 2.5 MHz for interoperability and up to 70 MHz for long-term public safety spectrum needs.

ATTACHMENT II

List of Attendees at December 16, 1997 meeting

**Frank Shafroth, National League of Cities
Pamela Curtin, The City of New York - Washington Office
David Kim, City of Los Angeles - Washington Office
Jay Michaud, City of Chicago - Washington Office
Eve Maldonado, League of California Cities
Eileen Huggard, National Association of Telecommunications Officers and Advisors
Jim Turpin, American Corrections Association
Shari Coffin, National Council of Emergency Managers
David Thorp, National Conference of State Legislatures
Bob Gurss, Association of Public Safety Communications Officials - International
Ralph Garboushian, McCall Associates
Don Speights, National Telecommunications and Information Administration
Rich Orsulak, National Telecommunications and Information Administration
Marci Wilding, International Association of Chiefs of Police
Gene Voegthlin, International Association of Chiefs of Police
Sylin Bymoe, Congressional Fire Services Institute
Alexa Verveer, Department of Justice
Eric Rosen, Department of Justice
Rob Zanger, Department of Justice
Alan Caldwell, International Association of Fire Chiefs
Terry Hayton, Federal Bureau of Investigation**